

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOHN G. PEDICINI,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	Case No. 04-12395-JLT
UNITED STATES OF AMERICA, et al.,	:	
	:	
Defendants.	:	
	:	

DEFENDANTS' AMENDED LIST OF EXHIBITS TO BE USED AT TRIAL

Pursuant to the Court's pretrial order of August 6, 2007 (during the Final Pretrial Conference), defendants hereby submit the following list of exhibits to be used at trial in this action:

Defendants' Exhibits (Disputed by Plaintiff):

1. Position Description of John Pedicini, Financial Management Specialist (US0176-US0184).
2. Position Description of Martin Hines, Budget Analyst (US0164-US0167).
3. Memorandum from USDA to Regional Administrators, dated February 22, 1982 (Bates-Stamped Numbers forthcoming).
4. Delegation of Authority Memoranda (Only Document Bates-Stamped US0015 is disputed).
9. Performance Appraisal for John Pedicini, dated 2/16/2007 (US0489).
10. FNS Integrated Program Accounting System Report on User Access, dated 7/19/2007 (US0490-US0491).

11. Financial Management Northeast Region Org. Chart for period 9/2002-8/2003 (US0056).
12. Financial Management Official Org. Chart, dated 12/1/2004 (US0492).
13. Financial Management Org. Chart for period 2/2006-5/2007 (US0493).
17. FNS-NERO FY05 & FY06 Cash Awards issued to John Pedicini (US0495 - US0499).
21. Learning History Record of John Pedicini (US0503).
22. Memo to Michael Todd, Funds Officer at FNS Mountain Plains Region, regarding Formal Delegation of Authority (US0504).
23. Delegation of Authority With Respect to Availability of Administrative Funds Form, Regional Administrator of FNS Southeast Region Donald E. Arnette (US0505).
24. Delegation of Authority With Respect to Availability of Administrative Funds Form, Regional Administrator of FNS Southeast Region Retha F. Oliver (US0506).
25. Delegation of Authority With Respect to Availability of Administrative Funds Form, Regional Administrator of FNS Southeast Region Sara S. Harding (US0507).
26. Delegation of Authority With Respect to Availability of Administrative Funds Form, Regional Administrator of FNS Southeast Region J. Lewis Wright (US0508).
28. NERO Vacancy Announcements, posted 7/16/2003 & 11/03/2003 (P-2089-P-2093, P-2083-P2088).

Defendants' Exhibits (Agreed to by Plaintiff):

5. Procurement Documents, i.e., Compensatory Time & Overtime Authorization and Printing and Binding Requisition to the Public Printer (P517, P1375, P1373).
8. 2001-2005 Performance Appraisals for John Pedicini (US0170-US0175, US0077, P-3363-P-3370, P-3329-P3332).
14. Memo from Gary Maupin regarding Funds Control Officer Responsibilities, dated 1/28/1997 (P-1392).
15. Memo from Roger A. Butler regarding Permissible Expenditures, dated 11/24/1997 (US0494).

16. Cash Award, Pay Adjustment, and Within Grade Increase Notification, dated from 5/4/2002 to 8/2/2004 (US208, US0210-US0216, US0220, US0305, US0311).
27. Affidavit of Lisha Dorman, dated 11/2/2005 (P2260-P2263).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Gina Walcott-Torres
Gina Walcott-Torres
Assistant United States Attorney
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Dated: August 8, 2007

CERTIFICATE OF SERVICE

I certify that on August 8, 2007, I caused a copy of the foregoing document to be served on *pro se* Plaintiff, John G. Pedicini, 10 Milano Drive, Saugus, MA 01906, by first class mail, postage pre-paid.

/s/ Gina Walcott-Torres
Gina Walcott-Torres
Assistant U.S. Attorney